

MAINTENANCE OF UNSEALED ROADS AND ROAD RESERVES PROCEDURE

Version-control information:

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Previous version: Maintenance of Unsealed Roads Protocol, adopted 18/02/10

Policy register reference: 378

Responsible service: Infrastructure Services

Contact position: Manager Infrastructure Services

Procedure objective

To provide an assessment framework for determining standards and priorities for maintenance work on unsealed roads and road reserves.

Scope

This procedure applies to all road reserves and unsealed roads on Council land. It excludes road reserves that adjoin nominated state roads (or that are managed by other public authorities), unformed roads and fire trails. This procedure should be read in conjunction with Council's Transport Asset Management Plan and operates under the provisions of the *Roads Act 1993* (NSW).

Roles and responsibilities

Positions	Responsibilities
Director Economy, Place and Infrastructure Services	Approve funding to seal unsealed roads or to undertake other major maintenance work up to the value of their financial delegation. Approve maintenance work to be undertaken on private land (at the landowner's expense).
Manager Infrastructure Services	General oversight of maintenance works including but not limited to the management of maintenance strategy and routine maintenance programs. On advice from the Operations Engineer, approve maintenance work up to the value of their financial delegation.
Operations Engineer	Review an Asset Investigation Officer's assessment and make a recommendation to the Manager Infrastructure Services. No delegation to approve works on unsealed roads.
Asset Investigation Officer	Respond to maintenance requests for road reserves or

	<p>unsealed roads by:</p> <ul style="list-style-type: none"> • investigating the issue of concern, • assessing what action needs to be taken to resolve the issue, • assessing how urgent the issue is, and • notifying the requestor of their findings and decisions (except in the case of a Councillor CSR). <p>Issue work orders to maintenance teams once the work is approved by the delegated authority.</p>
maintenance team	Undertake maintenance work as directed by the Asset Investigation Officer.
Emergency Management & Resilience	Maintain official fire tails on Council-managed land.
Planning and Building Assessment teams	Assess development applications for upgrading or constructing unformed roads.
Development Engineering Team	<p>Provide comment on development applications, including those for upgrading or constructing unformed roads.</p> <p>Assess and approve applications for works within the road reserve under section 138 of the Roads Act and undertake inspections of that work.</p>
Private landowners	<p>Maintain driveways, footpaths and gardens within their property boundary.</p> <p>Submit and pay for a Roads Act application detailing any proposed works in the road reserve.</p> <p>Construct and maintain access from edge of seal to their property boundary in accordance with the determination of the Roads Act application.</p> <p>Pay for any maintenance work Council agrees to or must undertake on their land.</p> <p>Rectify and pay for any damage they have caused to Council land.</p>

Definitions

Term	Definition
reactive maintenance	Maintenance that is undertaken only in response to a report, complaint or request. It is distinct from planned maintenance, which is done in line with a routine maintenance schedule.

requestor	A person who asks for maintenance work to be carried out on an unsealed road or a road reserve. A requestor could be a member of the public, a Council staff member or a representative of another authority.
road reserve	A legally described area within which facilities such as roads, footpaths and associated features may be constructed for public travel. It is the total area between boundaries shown on a cadastral plan. Includes the land from the edge of the road seal to the nearest property boundary.
unsealed road	Formed roads on Council land that have sandstone or gravel surfaces.
unformed road	A road that has not been constructed by Council or handed over to Council in an approved form. Generally has a grass or natural soil surface where it is trafficable. Council does not maintain these roads but may carry out works such as weed control or stormwater management works.

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1. Assessment criteria to determine maintenance standards

As per Council's *Maintenance of Unsealed Roads and Road Reserves Policy*, maintenance requests for road reserves and unsealed roads are logged as customer service requests and must be assessed for urgency and prioritised against routine maintenance work.

Asset Investigation Officers should use the determining factors listed below and the road hierarchy in the next section to assess maintenance requests. Determining factors include:

- The number of residences serviced per metre length of road.
- Whether the issue affects primary access (the main entrance to a property) or secondary access (an additional entry such as a rear gate off a laneway).
- Whether there are lookouts, access points to national parks, or other points of interest on that area of road or road reserve.
- A detailed assessment of previous customer service requests for maintenance of the same road reserve or unsealed road. This will determine the historic level of concern exhibited by road users and private landowners.
- The history of maintenance conducted on the road reserve or road.

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- The gradient and total length of the road reserve or road.
- How isolated the road or road reserve is.
- Whether the cost of maintenance per metre unit length is disproportionately high. (In some cases this has been used as a basis for tagging certain roads for sealing if funds become available.) Any decision to seal an unsealed road or build a footpath on a road reserve requires approval from the Director Economy, Place and Infrastructure Services.

As roads that go through vacant land do not generally attract much traffic, Asset Investigation Officers should inform the requestor, where necessary, that unsealed roads are constructed to a different standard from sealed roads and that maintenance of these roads will not usually be considered urgent.

2. Road hierarchy

The following hierarchy sets out different types of roads that Council manages and the standards of maintenance it generally commits to each level of road in the hierarchy.

Asset Investigation Officers must use this hierarchy along with the factors listed above to determine actions in response to maintenance requests. (The full listing of roads and their classifications is in Council's Work Request Register.)

- **Level 1 roads:** Includes most of the longer, high-traffic or tourist access roads in the mountains. *Maintenance standard:* Annual programmed maintenance, various cycles, grading and resurfacing as specified.
- **Level 2 roads:** These roads are typically shorter, moderately used sections of roadway. *Maintenance standard:* Reactive grading/resurfacing. Works are prompted by inspections or customer service requests. These works are for roads that do not have a scheduled maintenance program and are not to be maintained more than twice per year (unless under extenuating circumstances identified by the Asset Investigation Officer).
- **Level 3 roads:** Includes mostly short, low-use sections of roadway. *Maintenance standard:* Reactive repairs only. Grading/resurfacing done only under exceptional circumstances (e.g. complete failure of running surface).
- **Level 4 roads:** Generally includes unformed roads that are not officially used, do not provide any primary property access or have fallen into disuse (e.g. grassed laneways). *Maintenance standard:* Specified for no maintenance, but status to be periodically reviewed. Not likely to receive maintenance works upon request, but requests will still be assessed by the Asset Investigation Officer.

3. Maintenance processes for private driveways

It is private property owners' responsibility to maintain safe property access from the edge of the sealed road, drainage invert, or the back of the kerb to their property boundary. Any work to provide or improve access must be undertaken by lodging a formal Roads Act application and must be constructed strictly in accordance with Council standards or a stamp-approved plan.

Council will not undertake work at public expense on private driveways or pathways to improve access to private property across the road reserve. However, it will reinstate or repair access to a driveway to an appropriate level if Council works have affected access.

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Where private works or private access arrangements have caused damage to a Council asset, works to reinstate the asset or remove a hazard must be paid for by the property owner who caused the damage or created the hazard.

Remedial works must not adversely affect the stability or health of trees adjacent to private driveways. Council's Urban Forest team must be consulted by referral from the Asset Investigation Officer where trees may be affected.

4. Removal of dumped items

Requests to remove items dumped within the road reserve will be assessed by an Asset Investigation Officer. All such illegal dumping events under investigation should be logged with the Western Sydney Regional Illegal Dumping Squad.

If Council is forced to remove dumped items, disposal costs will be recovered from the person who dumped the items if they can be identified. Council or the Western Sydney Regional Illegal Dumping Squad may issue an enforcement or cost recovery order to the person.

5. Related documents

This document should be read in conjunction with:

Legislation

- *Roads Act 1993 (NSW)*
- *Road Transport Act 2013 (NSW)*
- *Local Government Act 1993 (NSW)*

Other documentation

Blue Mountains City Council's:

- *Maintenance of Unsealed Roads and Road Reserves Policy*
- *Urban Forest Procedure*
- *Road Encroachments on Private Lands Policy*
- *Road Encroachments on Private Lands Procedure*
- *Transport Asset Management Plan*
- *Illegal Dumping Strategic Plan 2020-2025*